

## REMARKS/ARGUMENTS

The Applicants' representative has reviewed the Examiner's Office Action of January 23, 2008, in which the Examiner objected to the specification, rejected claim 25 as being indefinite, rejected claims 1-4, 8, 9, 11, 13-18, 21-23, 26, 27, and 29 as being anticipated by U.S. Patent No. 5,105,725 to Haglund ("Haglund"), and rejected claims 10, 12, 19, and 20 as being unpatentable over Hagelund. Nevertheless, the Examiner has indicated that claims 5-7, 24, 28, 30 and 31 would be allowable if rewritten in independent form and that claim 25 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112(2) and in independent form.

### Specification Objections:

In accordance with the Examiner's request, the specification is amended to include reference to the openings having an axis which is aligned vertically and extending through the entire cooking grate.

### Claim Rejection under 35 USC § 112:

The Examiner rejects claim 25 as being indefinite on the basis that claim 25 does not include antecedent basis for "the lower grease control structure." As the Examiner correctly surmised, it was intended that claim 25 be dependent upon claim 24, which includes the requisite antecedent basis for the lower grease control structure. Since the limitations of claim 24 have been incorporated into claim 11, and claim 24 has been cancelled, claim 25 is amended to be dependent from claim 11.

### Claim Rejections based upon Haglund:

The Applicants respectfully disagree with the Examiner that claims 1-4, 8-23, 26-27, and 29 are either anticipated or rendered obvious by Haglund. Nevertheless, as discussed below, the

Applicants have opted to pursue allowance of the claims that have been identified as allowable (if rewritten in independent form) to facilitate allowance. However, the Applicants reserve the right to pursue these claims as originally drafted in a continuation application. In the event that the Applicant chooses to pursue these claims in a continuation application, the Examiner's rejections will likely be addressed in detail by way of a preliminary amendment.

Claims Objections:

The Applicants appreciate notice that claims 5-7, 24, 28, 30 and 31 would be allowable if rewritten in independent form. The Applicants hereby incorporate the limitations of claim 5 and all intervening claims into independent claim 1, the limitations of claim 24 and all intervening claims into independent claim 11, and the limitations of claim 28 into independent claim 27. Claims 5, 24, 28, and all intervening claims are cancelled. To the extent required, other claims are amended for consistency.

Conclusion:

For the foregoing reasons, the Applicants believe that the claims are sufficiently distinguished from the prior art and are in condition for allowance.

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**Applicant believes that no fees are required for submission of this document. In the event that the Applicant is mistaken, you are hereby authorized to deduct any required amounts from our Deposit Account No. 02-0400 (Baker & McKenzie). When identifying such a withdrawal, please use the Attorney Docket Number WEB-954.**

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Respectfully,

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